



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8

1595 Wynkoop Street
DENVER, CO 80202-1129
Phone 800-227-8917
<http://www.epa.gov/region08>

1241127 - R8 SDMS

JAN 17 2012

Ref: 8ENF-RC

Governor Brian A. Schweitzer
Office of the Governor
Montana State Capitol Building
P.O. Box 200801
Helena, MT 59620-0801

Re: Notification of Remedial Investigation/Feasibility Study (RI/FS) Negotiations, Libby
Asbestos Site (08-BC), Operable Unit 6 - The Burlington Northern and Santa Fe Railway
Company (OU 6)

Dear Governor Schweitzer:

Pursuant to Section 104(b)(2) of CERCLA, this letter is informing you of negotiations concerning actions to be taken in response to a release or threatened release of hazardous substances at the Libby Asbestos Site (Site), located in Libby, Montana. The U.S. Environmental Protection Agency (EPA) will be negotiating an RI/FS at OU 6 of this Site with the Burlington Northern and Santa Fe Railway Company (BNSF). The Remedial Project Manager (RPM) for OU 6 of this Site is Rebecca Thomas. Should you require further technical information about the Site, you may contact Ms. Thomas at 303-312-6552.

The EPA is planning to conduct settlement negotiations with BNSF in hopes of reaching settlement in early 2012. The EPA plans for the settlement to include having BNSF conduct the RI/FS work on property that they currently own or where they have rights of way.

If the State Natural Resource Trustees have any natural resource damage claims to assert regarding this Site, please contact Lorraine Ross, Enforcement Attorney for the EPA, at 303-312-6888. Any questions regarding this letter may be addressed to Sharon Abendschan, Enforcement Specialist, at 303-312-6957.

Sincerely,

A handwritten signature in black ink, appearing to read "Kelcey Land".

Kelcey Land, Director
RCRA/CERCLA Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

cc: Lorraine Ross, 8ENF-L
Rebecca Thomas, 8EPR-SR
Sharon Abendschan, 8ENF-RC





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Concurrence Copy

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0.75"

Dear Governor Schweitzer:

Change margins to 0.75" all around

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Sincerely,

Kelcey Yarbrough Land, Director
RCRA/CERCLA Technical Enforcement Program
Office of Enforcement, Compliance
and Environmental Justice

8ENF-L
Lm Ross
1/4/12

Thomas
EPR-SR
1/4/12

Abendschan
8ENF-RC
1/5/12

Lm Yarbrough
8ENF-RC
1-5-12
corrections

changes made
1/10/12
8ENF-RC

cc: Lorraine Ross, 8ENF-L
Rebecca Thomas, 8EPR-SR
Sharon Abendschan, 8ENF-RC

